Vol. IV. Numb. 45.

THE OBSERVATOR.

Of Declaring War againſt the Pope. *The Probability and Reaſonableneſs thereof. Of the Execution of the Soldier that Murder'd Mr.* Maclelan. *Of the Tryal and Sentence of Captain* Croſs, *Commander of the* Elizabeth.

From **Saturday** September the 1ſt, to **Wednesday** September the 5th, 1705.

Country-m. MAſter *Obſervator*, if you can but perſwade the *Confederate Powers* to wage *War* with the *He-Whore* of *Babylon*, the *Pope*, I will forgive you all you Owe me, and will Brew ſuch *October* as will make a *Cat* ſpeak; one bold Stroke I am ſure would fetch the *Tripple Crown* from his *Unſanctify'd Noddle*, and would ſhow his bald Pate: 'Tis pitty ſuch a *Religious Varlet* ſhould Diſturb and Embarraſs the Affairs of the *Confederacy*.

Obſ. But, Honeſt *Country-man*, if the *Government* ſhould think fit to Proſecute me for Writing againſt the *Pope*, will you be my Bail? You know I have been Proſecuted for Writing againſt the *Papiſts*, the *Popes* Children, in *England*.

Country-m. Maſter, I will be Bail for you in any thing but *Fellony* and *Murder*; and you need not fear *Proſecutions* for Writing againſt the *Papiſhes*; for their Old Friends are diſplac'd from the *Miniſtry*, and begin to *Rouſe* their *Natures* againſt the *Queen* and *Government*; and all the People in *England* ſee from whence your *Proſecutions* did ariſe, not that you were an *Enemy* to the *Queen* and *Government*, but becauſe you expos'd ſome Perſons about Her, who, if they had not been timely Diſcharg'd from *Power*, would have been the Ruin of both *Queen* and *Realm*. I remember very well, when you made your Remarks on Her Majeſties firſt *Speech* to the *Parliament*, in which Her Majeſty ſaid *She would favour ſuch Men as had the trueſt Zeal to Support the Church of* England; that you thought thoſe Men were Men of *Moderation*, *Peace* and *Unity*, and that you Preach'd up this Doctrine in the Infancy of Her Majeſties Reign, which tho' you have been Ruin'd for it, yet now 'tis the receiv'd Opinion of all the *Good* and *Wiſe Men* in the Kingdom.

You may remember too, that you always Juſtify'd the *Revolution*, and call'd Her Majeſty the *Queen of the Revolution*, and that She could be kept in the *Throne* only by having Men of *Revolution Principles* about Her. The Management of the contrary Party has made this plainly appare to be a *Truth*.

Now, ſince what you have Written, by dear bought Experience, does appear to be for the *Intereſt* of the *Queen* and *Realm*, and that the ſame Methods you at firſt Propos'd for the ſafety of *both*, are at laſt put in *Execution*. Is not this Encouragement enough for you to tell your Opinion of the *Pope*, how he may be be-Devil'd with a *War*, how the *Cannons* of the Field may be Planted to batter down the *Canons* of the *Infallible Church?* Pray, Maſter, be as *Miſchievous* as you can againſt that *Bloody Wretch*, the *Pope*; I hate'n with all my Spirit.

Obſ. Honeſt *Country-man*, the Propoſals of ſo inconſiderable a Perſon as my ſelf can never take place, till ſuch time as meer *Neceſſity* ſhall force a Compliance. 'Tis much to be Lamented that our Stock of *Polititians* in *England* is ſo much worn out, and that the Art of *Tricking* ſooner gets a Man *Preferment*, than the whole *Rudiments* of *Politicks*, perfectly known and experienc'd; and 'tis no new thing for a Man that has Brains in his *Head* to have 'em beaten out by one in *Power* that has none.

A Scheme for the *Publick Good*, be it never ſo *Equitable*, *Juſt*, and *Rational*, if it has not the Sanction of a great Name, it has a Veil before it, 'tis under a Cloud, and can never be put in Execution till the Neceſſity of Affairs ſhall require it. On the other hand, let it be never ſo Inconſiſtent with *Senſe* and *Reaſon*, it comes under Conſideration becauſe the *Projector* has *Intereſt*.

Was there ever a more Idle Scheme than that of *Reducing* Scotland *by Arms?* The Projector of which needed not to fear Drowning in his own *Tub*, becauſe he made it without a bottom; and yet how do ſome Men cry it up, whilſt the Confuter of that Scheme, in one of the moſt Rational Books that ever I Read, is bound over; and his *Anſwerer*, Mr. *Attwood*, I know not by what *Indigency* of *Purſe* or *Judgement*, has Written the moſt Trivial Book, that ever he Penn'd, on that Subject. I pitty Gentlemen of *Parts* and *Learning* when their Pens become Venal: Mr. *Attwood*, I am ſure, knows better, and I wiſh he has not offered Violence to his *Conſcience* as well as his *Reaſon* in that Book.

But, Honeſt *Country-man*, without any proſpect of *Publick Advantage*, we'll talk theſe things over to pleaſe our ſelves, and Act like Children, who when they can't get the *Pap* or the *Bubby* cry themſelves Aſleep.

I conſider'd the *Pope*, the laſt time we meet, in his double Capacity, as a *Temporal* and *Spiritual Prince*; and indeed in either of theſe *Capacities*, we cannot expect the *Popiſh Powers* ſhould heartily *Oppoſe* him; for if they *Oppoſe* him, as he is a *Temporal Prince*, then he ules St. *Peters* Key, and Knocks them on the Head with his *Eccleſiaſtical Power*, his *Bulls* ſhall puſh them with their *Horns* from their *Thrones*; and he'll Baſtardize all his Children that ſhall be found in actual *Rebellion* againſt him. The Difficulties here ſeem Unſurmountable, and therefore let us conſider what the *Proteſtant Powers* may Act in this Caſe.

I have not the Copies of the Treaties by me, and therefore I muſt ſpeak in General: We have a *Treaty* and a *War* upon that *Treaty*, and without droubt, under the greateſt Obligations of mutual Defence. But if the *Popiſh Powers* are at *Amity* with a profeſs'd Enemy of the *Proteſtant Powers* Confederated with them, there lies a hardſhip upon the *Proteſtant Powers*, which they muſt either bear, thro' *Connivance*, or make ſuch Remonſtrances thereof, as in the end may tend to a *Rupture*.

The Effect of ſuch a *Rupture* muſt be a *Holy War*, a thing that has employ'd the *Thoughts* of our beſt

beſt *Politicians* under the greateſt Serenity of Mind; Whether a *Confederacy* with *Popiſh Powers*, under the Diſadvantages before mention'd, or a *Holy War*, that is, *Proteſtant* againſt *Papiſt*, be moſt Conſiſtant with the *Proteſtant Intereſt?*

I ſhall not pretend to determine the Point, but ſhall ſpeak to the Caſe as at firſt laid down, when formerly I ſpoke concerning the particular *Intereſt* of the *Proteſtant Powers*, engag'd in this *War*, and eſpecially of *England*.

He muſt be much Unacquainted with the Proceedings in this *War* that has not obſerved the Diligence of the *Popiſh Powers*, in promoting the *Intereſt* of *Holy Church*, even under a Confederacy againſt the *French* Tyrant, the common Diſturber of the *Peace* of *Europe*.

To Inaumerate ſome Inſtances. The *Inſurrection* of the *Proteſtants* in the *Cevennes* op'en'd a back Door for the Confederates to enter *France*; but this was over-look'd by the *Papiſts*, who Delight in *Proteſtant Blood:* And the ſending an Early Relief and Aſſiſtance to thoſe brave Men was Oppoſed by the *High-Church Party* in *England*, under the Notion of their being *Rebels:* Of which I have ſpoken at large in my former Diſcourſes.

The Affairs of *Poland* and *Saxony*, with that of the *Hungarians*, our laſt Diſappointment on the *Moſſelle*, as alſo the Underhand Dealings at the Court of *Rome*, are Inſtances too Notorious to be over-look'd.

Now, may it not be a Queſtion, That tho' we are engaged in a *Confederacy* with *Popiſh Powers*, that pay a *Felial Obedience* to the *Pope*; that, notwithſtanding this, we may not declare a *War* againſt the *Pope*, with whom we were never in *Amity*, I mean the People of *England*, ſince the *Reformation?* If we do not we are always in Danger of the Councils of the *Conclave*, we march with an Enemy on our *Rear*, which our *Allies* dare not Attack.

The Opportunity we have is viſible, we have hopes of Succeſs in *Catalonia*; our *Armies* and *Fleets* are employ'd near the *Eccleſiaſtick State*; we may enter its Teritories by Land, and our Ships can ſoon Deſtroy the Inſignificant Port of *Civitta-Vecbia*, with the *Popes* Gallies in that Harbour. We have not only a juſt cauſe of declaring *War* with the *Pope*, but we have an Opportunity, which gives Us the greateſt hopes of Succeſs in ſuch an Enterprize.

But, Honeſt *Country-man*, let us not run too deep in the Waters of *Politicks*; how Juſt ſo ever our *Intentions* may be, they may prove to Us the Waters of *Strife*, and we may be plung'd over Head and Ears in 'em, when our Enemies, the *Papiſts*, may be ſupply'd with *Rafts* or *Bladders* to help 'em Aſhore. *What has been may be.* Prithee change the Diſcourſe to ſomething at Home.

Country-m. Maſter, the Soldier that Murder'd Mr. *Maclelan*, the *Scotchman*, betwixt *Sheerneſs* and *Queenborough*, is Hang'd. He acknowledged to his Dying Minute, that the *Fort Major* hired him for half a Crown to beat the ſaid Mr. *Maclelan*; and the *Fort Major* is Bound over to appear at Term for a Year. Now, Maſter, ought not this Fellow to ha' been Hang'd as well as the Soldier?

Obſ. I am well ſatisfi'd, if the *Law* would have Hang'd him, he had kept Company with the Soldier. 'Tis none of the *Judges* fault; but 'tis pity he had no *Law* to empower him to Tuck up that Wretch, who, tho' he was not preſent at the Murder, was Principal in it. Our *Laws* are very deficient in this Caſe, and I think, a *Parliamentary Enquiry* into the deficiency of our *Laws*, is full as reaſonable as to enquire into the deficiency of our *Funds*.

The *Heathens*, who are Examples to *Chriſtians*, in Point of *Juſtice*, would ſooner ha' Hang'd this Major than the Soldier. *Nec Lex eſt Juſtior ulla*, &c. was their Maxim. *i. e. There is no Law more Juſt and Equitable than that the Contrivers of Murders ſhould periſh by their own Art.* We can only obſerve from the whole Story, from the beginning to the end on't, that the *Tackers* are Men of no great Conſcience to Murder their Oppoſers at the Expence of half a Crown.

Country-m. But, Maſter, don't you think this Fort Major will be turn'd out of his Place upon this Account? I think it is a Scandal for any Government to entertain ſo ill a Man in its *Service*.

Obſ. Let the Perſon be what he will, you know we muſt not ſpeak of it, we have already ſuffered for ſpeaking againſt juſt ſuch Honeſt Men as this, if not worſe.

Country-m. Well, Maſter, I am to give you an Account of a Trial, and I will give it you in the Words of the *Poſt-Man* for fear of Miſtakes. Captain *Croſs*, was Try'd on *Saturday* laſt on Board Sir *George Bing*, at *Spithead*, for loſing the *Elizabeth*, and Sentenc'd to loſe all his Pay, and to remain a Priſoner during Life.

Obſ. Prithee Man, I won't believe a Word of it.——Let me ſee that Paper. — I proteſt 'tis ſo; well, Honeſt *Country-man*, what ſhall we ſay to theſe things. *Fiat Juſtitia ruat Cælum, Juſtice ought to take Place againſt the Intereſt or Solicitations of the greateſt Men in the Kingdom.* I ſhould have thought the *Soldier* at *Sheerneſs* more likely to eſcape with Life than Captain *Croſs*; but things in this Life happen ſome for our Inſtruction and ſome for our Wonder.

But I hope the Nation will have ſo much Juſtice done 'em, as to have this Trial Printed for the ſatisfaction of the Publick, that we may ſee by what Methods our *Ships* of War are given up to the *French*, and by what means the Criminals are Acquitted.

If this be not done, I am ſure 'tis highly worthy of the Conſideration of Parliament, that after ſo many Inſtances of this Nature we may ſo fix upon one as to prevent the like Evils for the future.

Country-m. Maſter, I won'd ha' all Cowardly Captains ty'd in a *Hop-Sack* and toſs'd into the *Sea*. I would ſay ſomething. —'Tis almoſt out.—Here, Maſter, your good Health, and to your good Repoſe.

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